



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of : Llinas-Brunet, M., et al. ) Art Unit: Not Yet Assigned  
U.S. Appln. No. : 10/686,755 ) Examiner: Not Yet Assigned  
Confirmation No. : Not Yet Assigned  
U.S. Filing Date : 10/16/2003  
Title of Invention : Macrocyclic Peptides Active Against the Hepatitis C Virus  
Attny. Docket No. : 13/117

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

February 12, 2004

TRANSMITTAL LETTER FOR INFORMATION DISCLOSURE STATEMENT

Sir:

Transmitted herewith concerning the subject application is an Information Disclosure Statement (Form 1449A/B) under 37 C.F.R. §§1.56 and 1.97, as more specifically described hereinbelow.

☒ 1.97(b). This Statement is being filed: i) within three (3) months of the filing date of a national application other than a continued prosecution application under 33 C.F.R. §1.53 (d); ii) within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application; iii) before the mailing of a first Office action on the merits; or iv) before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. §1.114. The references cited in the Information Disclosure Statement by Applicant are discussed in the specification.

☐ 1.97(c). This Statement is being filed after the time period specified in 37 C.F.R. §1.97(b), but before the mailing date of: i) a final action under 37 C.F.R. §1.113, ii) a notice of allowance under 37 C.F.R. §1.311, or iii) an action that otherwise closes prosecution in the application. This Statement is being accompanied by:

☒ A statement as specified in 37 C.F.R. §1.97(e) [see below]; or

☐ The fee set forth in 37 C.F.R. §1.17(p).

☐ The Commissioner is hereby authorized to charge payment of the \$180.00 fee set forth in 37 C.F.R. §1.17(p) to Deposit Account No. 02-2955.

☐ 1.97(d). This Statement is being filed after the period specified in 37 C.F.R. §1.97(c) but on or before payment of the issue fee. This Statement is accompanied by a statement as specified in 37 C.F.R. §1.97(e) [see below] and the fee set forth in 37 C.F.R. §1.17(p).

☐ 1.97(e).

☐ Each item of information contained in the instant information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the instant information disclosure statement; or

☐ No item of information contained in the instant information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in the instant information disclosure statement was known to any individual designated in 37 C.F.R. §1.56(c) more than three (3) months prior to the filing of the instant information disclosure statement.

☐ The fee set forth in 37 C.F.R. §1.17(p).

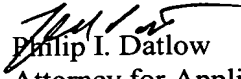
☐ The Commissioner is hereby authorized to charge payment of the \$180.00 fee set forth in 37 C.F.R. §1.17(p) to Deposit Account No. 02-2955.

☐ 1.704(d). Each item of information contained in the accompanying information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, which communication was not received by any individual designated in section 1.56(c) more than thirty (30) days prior to the filing of the accompanying information disclosure statement.


☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. §1.16 and any patent application processing fees under 37 C.F.R. §1.17, or credit any overpayment of same, to Deposit Account No. 02-2955.

Triplicate copies of this form are enclosed.

Respectfully submitted,

  
Philip I. Datlow  
Attorney for Applicant(s)  
Reg. No. 41,482

Patent Department  
Boehringer Ingelheim Corp.  
900 Ridgebury Road, P.O. Box 368  
Ridgefield, CT 06877  
Tel: (203) 798-4542  
Date: February 12, 2004

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449A/PTO

**Complete if Known**

*(Use as many sheets as necessary)*

Sheet

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of

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Application Number

10/686.755

Filing Date

10/16/2003

First Named Inventor

Llinas-Brunet, M.

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**Art Unit**

Not Yet Assigned
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Examiner Name

Not Yet Assigned
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Attorney Docket Number

13/117

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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> *Number <sup>4</sup> *Kind Code <sup>5</sup> (if known)				
		WO 03/010140 A2	02/06/2003	Boehringer Ingelheim (Canada) Ltd.		
		WO 03/010141 A2	02/06/2003	Boehringer Ingelheim (Canada) Ltd.		
		WO 03/026587 A2	04/03/2003	Bristol-Myers Squibb Company		
		WO 03/053349 A2	07/03/2003	Bristol-Myers Squibb Company		
		EP 1 256 628 A2	11/13/2002	Agouron Pharmaceuticals, Inc.		

**Examiner  
Signature**

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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STATEMENT BY APPLICANT**

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Sheet 2 of 3

**Complete if Known**

Application Number	10/686,755
Filing Date	10/16/2003
First Named Inventor	Llinas-Brunet, M.
Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
Attorney Docket Number	13/117

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-			
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**FOREIGN PATENT DOCUMENTS**

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		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		JP 10 298151	11/10/1998			
		JP 11 127861	05/18/1999			
		JP 11 292840	10/26/1999			
		JP 2001 - 103993 A	04/17/2001			

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Sheet

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Filing Date	10/16/2003
First Named Inventor	Llinas-Brunet, M.
Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
Attorney Docket Number	13/117

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		STEPHEN M. BERGE, et al. "Pharmaceutical Salts", Journal of Pharmaceutical Sciences, Vol. 66, No. 1, pgs 1-19, January 1977	
		JINKUN HUANG, et al. "Olefin Metathesis-Active Ruthenium Complexes Bearing a Nucleophilic Carbene Ligand", J. Am. Chem. Soc. 1999, Vol. 121, pgs 2674-2678	
		JASON S. KINGSBURY, et al. "A Recyclable Ru-Based Metathesis Catalyst", J. Am. Chem. Soc. 1999, 121 pgs 791-799	
		VIKTOR KRCHNAK, et al. "Polymer-Supported Mitsunobu Ether Formation and its Use in Combinatorial Chemistry", Tetrahedron Letters, Vol. 36, No. 35 pgs 6193-6196, 1995	
		SCOTT J. MILLER, et al. "Application of Ring-Closing Metathesis to the Synthesis of Rigidified Amino Acids and Peptides", J. Am. Chem. Soc. Vol. 118 pgs 9606-9614, 1996	
		THOMAS A. RANO, et al. "Solid Phase Synthesis of Aryl Ethers Via the Mitsunobu Reaction", Tetrahedron Letters, Vol. 36, No. 22 pgs 3789-3792, 1995	
		W. CLARK STILL, et al. "Rapid Chromatographic Technique for Preparative Separations with Moderate Resolution" J. Org. Chem., Vol. 43, No. 14, 1978 pgs 2923-2925	

Examiner Signature		Date Considered	
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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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